| 1 2 3 4 5 6 7 | STEVEN W. MYHRE Acting United States Attorney Nevada Bar No. 9635 District of Nevada ALEXANDRA MICHAEL Assistant United States Attorney 501 Las Vegas Blvd. South, Suite 1100 Las Vegas, Nevada 89101 (702) 388-6336/ Fax: (702) 388-5087 Alexandra.M.Michael@usdoj.gov Counsel for Plaintiff | | |
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| 8 | United States of America | | |
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| 10 | UNITED STATES DISTRICT COURT | | |
| 11 | DISTRICT OF NEVADA | | |
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| 14 | UNITED STATES OF AMERICA,) | 2:17-cr-00025-HDM-VCF | |
| 15 | Plaintiff, | CTIDLU ATION TO CONTINUE | |
| 16 | vs. | STIPULATION TO CONTINUE DEADLINE FOR GOVERNMENT'S | |
| 17 |) ANTHONY DARKI EV | RESPONSE TO DEFENDANT'S | |
| 18 | ANTHONY BARKLEY,) | MOTIONS (Doc. 52), (Doc. 53), AND (Doc. 54) | |
| 19 | Defendant. | (Thind Barrens) | |
| | | (Third Request) | |
| 20 | IT IC HEDEDY CTIDLII ATED AND ACREED 1 | | |
| 21 | IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, | | |
| 22 | Acting United States Attorney, and Alexandra Michael, Assistant United States Attorney, | | |
| 23 | counsel for the United States of America, and Paul Riddle, Assistant Federal Public Defender for | | |
| 24 | Defendant ANTHONY RARKIEV that the deadline for Government's Passage to | | |
| 25 | Defendant ANTHONY BARKLEY, that the deadline for Government's Response to | | |
| 26 | Defendant's Motion to Suppress (Doc. 54), Government's Response to Defendant's Motion to | | |
| 27 | Dismiss (Doc. 52), and Government's Response to Defendant's Motion to Inspect Grand Jury | | |
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Transcripts and Evidence Log (Doc. 53), currently set for August 28, 2017, be vacated and continued for four days to September 1, 2017, or to a date to be set at the Court's convenience.

This stipulation is entered for the following reasons:

- 1. Counsel for Government needs additional time to fully research and prepare a response to the Defendant's Motions.
- 2. The defendant is in custody and does not oppose the continuance.
- 3. The parties agree to the continuance.
- 4. For the reasons stated above, the ends of justice would best be served by a continuance of the deadline.
- 5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
- 6. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and 3161(h)(7) and Title 18, United States Code, Section 3161(h)(7)(A) and (h)(3)(A), when considering the facts under Title 18, United States Code, Sections 3161(h)(7)(B), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv).
 - 7. This is the third request for a continuance filed herein.

| /s/ | /s/ |
|----------------------------------|---------------------------------------|
| ALEXANDRA MICHAEL | PAUL RIDDLE |
| Assistant United States Attorney | Counsel for Defendant ANTHONY BARKLEY |
| Counsel for the United States | |

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

| | * * * |
|---------------------------|---|
| UNITED STATES OF AMERICA, | , |
| CIVILD STATES OF AWERICA, |) 2:17-cr-00025-HDM-VCF |
| Plaintiff, |) |
| VS. |) ORDER CONTINUING) GOVERNMENT'S RESPONSE |
| , vs. |) TO DEFENDANT'S MOTIONS |
| ANTHONY BARKLEY, | (Doc. 52), (Doc. 53), AND (Doc. 54) |
| |) |
| Defendant. |) (Third request) |
| | |

FINDING OF FACTS

This stipulation is entered for the following reasons:

- Counsel for Government needs additional time to fully research and prepare a response to the Defendant's Motions.
 - 2. The defendant is in custody and does not oppose the continuance.
 - 3. The parties agree to the continuance.
 - 4. For the reasons stated above, the ends of justice would best be served by a continuance of the deadline.
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- 6. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and 3161(h)(7) and Title 18, United States Code, Section 3161(h)(7)(A) and (h)(3)(A), when considering the facts under Title 18, United States Code, Sections 3161(h)(7)(B), 3161(h)(7)(B)(i), and 3161(h)(7)(B)(iv).

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7. This is the third request for a continuance filed herein.

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, IT IS **HEREBY ORDERED**, that Government's Response to Defendant's Motion to Suppress (Doc. 54), Government's Response to Defendant's Motion to Dismiss (Doc. 52), and Government's Response to Defendant's Motion to Inspect Grand Jury Transcripts and Evidence Log (Doc. 53) currently scheduled 28, 2017, be and continued for August vacated to September 1, 2017

It is also **ORDERED** that the Defendant's Reply, be vacated and continued to September 11, 2017

UNITED STATES MAGISTRATE JUDGE

August 29, 2017